

REMARKS

In the Official Action of June 1, 2004, the Examiner required an election under 35 U.S.C. § 121 among two allegedly distinct inventions, namely:

Group I, referring to claims 1-24, drawn to a data transmission control method; and

Group II, referring to claims 25-27, drawn to a receiving apparatus.

The Examiner has contended that the inventions of Groups I and II are related as subcombinations disclosed as usable together in a single combination.

Applicant disagrees with the Examiner's characterization of the claims herein as directed to subcombinations disclosed as usable together in a single combination. Claims 1-24 are directed to methods while claims 25-27 are directed to apparatus, and therefore these claims are not related as subcombinations. Moreover, apparatus claims 25-27 are cast in means plus function language having limitations that are substantially the same as the limitations in the method claims. Accordingly, applicant submits that all of claims 1-27 should be examined together in the present application. Nonetheless, in response to the restriction requirement, applicant provisionally elects Group I, claims 1-24 for further prosecution in this application. Accordingly, claims 25-27 stand withdrawn from consideration in the present application without prejudice to applicant's right to file one or more divisional applications directed thereto.


Application No.: 09/521,098

Docket No.: SONYSU 3.9-076 CONT

If there are any additional charges in connection with this response, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 25, 2004

Respectfully submitted,

By 

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